

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020
4

A Bill

HOUSE BILL 1049

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE OFFICE OF ATTORNEY
10 GENERAL FOR THE FISCAL YEAR ENDING JUNE 30, 2021; AND
11 FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE OFFICE OF ATTORNEY GENERAL
15 APPROPRIATION FOR THE 2020-2021 FISCAL
16 YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the Office of Attorney General for the 2020-2021 fiscal year, the
24 following maximum number of regular employees.
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| Item No. | Class Code | Title | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2020-2021 |
|----------|------------|---------------------------|--------------------------|--|
| 30 | (1) Q242U | SOLICITOR GENERAL | 1 | \$167,000 |
| 31 | (2) Q066U | ATTORNEY GENERAL I | 2 | \$167,000 |
| 32 | (3) Q065U | ATTORNEY GENERAL II | 9 | \$157,100 |
| 33 | (4) Q124U | ATTORNEY GENERAL III | 11 | \$125,986 |
| 34 | (5) Q064U | ATTORNEY GENERAL IV | 15 | \$112,900 |
| 35 | (6) Q067U | CHIEF INFORMATION OFFICER | 1 | \$115,000 |
| 36 | (7) Q363U | CHIEF OPERATING OFFICER | 1 | \$105,000 |



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|----|------|------------------------------------|----------|-----------|
| 1 | (8) | Q102U CHIEF FISCAL OFFICER | 1 | \$101,175 |
| 2 | (9) | Q063U ATTORNEY GENERAL V | 11 | \$101,175 |
| 3 | (10) | Q061U ATTORNEY GENERAL VI | 19 | \$90,670 |
| 4 | (11) | Q009U COMMUNITY RELATIONS DIRECTOR | 1 | \$90,670 |
| 5 | (12) | Q008U CHIEF INVESTIGATOR | 1 | \$90,670 |
| 6 | (13) | Q074U INVESTIGATOR I | 1 | \$81,257 |
| 7 | (14) | Q072U COMMUNICATIONS OFFICER | 1 | \$81,257 |
| 8 | (15) | Q062U PUBLIC INFORMATION OFFICER | 1 | \$81,257 |
| 9 | (16) | Q059U OMBUDSMAN | 1 | \$81,257 |
| 10 | (17) | Q033U LOGISTICS DIRECTOR | 1 | \$81,257 |
| 11 | (18) | Q023U NETWORK SPECIALIST I | 1 | \$75,054 |
| 12 | (19) | Q101U HUMAN RESOURCES DIRECTOR | 1 | \$72,822 |
| 13 | (20) | Q073U EXECUTIVE ASSISTANT | 1 | \$72,822 |
| 14 | (21) | Q070U INVESTIGATOR II | 2 | \$72,822 |
| 15 | (22) | Q052U LAW ED ADMINISTRATOR | 1 | \$72,822 |
| 16 | (23) | Q034U ADMINISTRATIVE ASSISTANT I | 1 | \$72,822 |
| 17 | (24) | Q002U LEGAL ASSISTANT | 1 | \$72,822 |
| 18 | (25) | Q037U NETWORK SPECIALIST II | 1 | \$67,267 |
| 19 | (26) | Q035U LIBRARIAN | 1 | \$67,267 |
| 20 | (27) | Q058U EXECUTIVE SECRETARY | 1 | \$65,265 |
| 21 | (28) | Q025U PARALEGAL I | 2 | \$65,265 |
| 22 | (29) | Q006U LAW ED INSTRUCTOR I | 2 | \$65,265 |
| 23 | (30) | Q004U ASST LOGISTICS DIRECTOR | 1 | \$65,265 |
| 24 | (31) | Q071U ADMINISTRATIVE ASSISTANT II | 3 | \$58,493 |
| 25 | (32) | Q057U INVESTIGATOR IV | 13 | \$58,493 |
| 26 | (33) | Q053U SECRETARY I | 7 | \$58,493 |
| 27 | (34) | Q032U LAW ED INSTRUCTOR II | 1 | \$58,493 |
| 28 | (35) | Q007U FISCAL SPECIALIST II | 2 | \$58,493 |
| 29 | (36) | Q056U SECRETARY II | 14 | \$52,425 |
| 30 | (37) | Q047U CONSUMER COUNSELOR | 4 | \$52,425 |
| 31 | (38) | Q036U RECEPTIONIST | 2 | \$46,987 |
| 32 | (39) | Q005U COURIER | 1 | \$46,987 |
| 33 | (40) | Q132U COURIER II | <u>1</u> | \$42,117 |
| 34 | | MAX. NO. OF EMPLOYEES | 142 | |

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SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for

1 the Office of Attorney General for the 2020-2021 fiscal year, the following
 2 maximum number of part-time or temporary employees, to be known as "Extra
 3 Help", payable from funds appropriated herein for such purposes: eight (8)
 4 temporary or part-time employees, when needed, at rates of pay not to exceed
 5 those provided in the Uniform Classification and Compensation Act, or its
 6 successor, or this act for the appropriate classification.

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 8 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 9 to the Office of Attorney General, to be payable from the State Central
 10 Services Fund, for personal services and operating expenses of the Office of
 11 Attorney General for the fiscal year ending June 30, 2021, the following:

| ITEM | FISCAL YEAR |
|---------------------------------|---------------------|
| <u>NO.</u> | <u>2020-2021</u> |
| (01) REGULAR SALARIES | \$10,864,198 |
| (02) EXTRA HELP | 111,672 |
| (03) PERSONAL SERVICES MATCHING | 3,376,256 |
| (04) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | 2,142,000 |
| (B) CONF. & TRAVEL | 129,109 |
| (C) PROF. FEES | 644,215 |
| (D) CAP. OUTLAY | 143,500 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u>\$17,410,950</u> |

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 26 SECTION 4. REGULAR SALARIES - MEDICAID FRAUD DIVISION - STATE. There
 27 is hereby established for the Office of Attorney General - Medicaid Fraud
 28 Division - State for the 2020-2021 fiscal year, the following maximum number
 29 of regular employees.

| Item | Class | Maximum | Maximum Annual |
|------------|---------------------------|------------------|--------------------|
| <u>No.</u> | <u>Code Title</u> | <u>No. of</u> | <u>Salary Rate</u> |
| | | <u>Employees</u> | <u>Fiscal Year</u> |
| | | | <u>2020-2021</u> |
| (1) | Q065U ATTORNEY GENERAL II | 1 | \$157,100 |
| (2) | Q063U ATTORNEY GENERAL V | 2 | \$101,175 |

| | | | |
|---|------------------------|----------|----------|
| 1 | (3) Q024U AUDITOR | 1 | \$90,670 |
| 2 | (4) Q056U SECRETARY II | <u>1</u> | \$52,425 |
| 3 | MAX. NO. OF EMPLOYEES | 5 | |

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5 SECTION 5. APPROPRIATION - MEDICAID FRAUD DIVISION - STATE. There is
 6 hereby appropriated, to the Office of Attorney General, to be payable from
 7 the State Central Services Fund, for personal services and operating expenses
 8 of the Office of Attorney General - Medicaid Fraud Division - State for the
 9 fiscal year ending June 30, 2021, the following:

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| 11 | ITEM | FISCAL YEAR |
|----|---------------------------------|-------------------------|
| 12 | <u>NO.</u> | <u>2020-2021</u> |
| 13 | (01) REGULAR SALARIES | \$490,900 |
| 14 | (02) PERSONAL SERVICES MATCHING | 136,358 |
| 15 | (03) MAINT. & GEN. OPERATION | |
| 16 | (A) OPER. EXPENSE | 11,900 |
| 17 | (B) CONF. & TRAVEL | 22,100 |
| 18 | (C) PROF. FEES | 17,000 |
| 19 | (D) CAP. OUTLAY | 10,500 |
| 20 | (E) DATA PROC. | <u>0</u> |
| 21 | TOTAL AMOUNT APPROPRIATED | <u><u>\$688,758</u></u> |

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23 SECTION 6. REGULAR SALARIES - MEDICAID FRAUD DIVISION - FEDERAL. There
 24 is hereby established for the Office of Attorney General - Medicaid Fraud
 25 Division - Federal for the 2020-2021 fiscal year, the following maximum
 26 number of regular employees.

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| 28 | | Maximum Annual |
|----|-------------------------------|------------------|
| 29 | | Salary Rate |
| 30 | Item Class | Fiscal Year |
| 31 | <u>No. Code Title</u> | <u>2020-2021</u> |
| | | Maximum |
| | | No. of |
| | | Employees |
| 32 | (1) Q131U MEDICAID DIRECTOR | 1 \$125,986 |
| 33 | (2) Q064U ATTORNEY GENERAL IV | 1 \$112,900 |
| 34 | (3) Q063U ATTORNEY GENERAL V | 1 \$101,175 |
| 35 | (4) Q008U CHIEF INVESTIGATOR | 1 \$90,670 |
| 36 | (5) Q003U NURSE ANALYST | 2 \$88,058 |

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|---|-----------------------------|----------|----------|
| 1 | (6) Q074U INVESTIGATOR I | 2 | \$81,257 |
| 2 | (7) Q130U INVESTIGATOR III | 5 | \$65,265 |
| 3 | (8) Q046U ANALYST | 1 | \$65,265 |
| 4 | (9) Q025U PARALEGAL I | 1 | \$65,265 |
| 5 | (10) Q069U CASE COORDINATOR | 1 | \$52,425 |
| 6 | (11) Q056U SECRETARY II | <u>1</u> | \$52,425 |
| 7 | MAX. NO. OF EMPLOYEES | 17 | |

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9 SECTION 7. EXTRA HELP - MEDICAID FRAUD DIVISION - FEDERAL. There is
 10 hereby authorized, for the Office of Attorney General - Medicaid Fraud
 11 Division - Federal for the 2020-2021 fiscal year, the following maximum
 12 number of part-time or temporary employees, to be known as "Extra Help",
 13 payable from funds appropriated herein for such purposes: two (2) temporary
 14 or part-time employees, when needed, at rates of pay not to exceed those
 15 provided in the Uniform Classification and Compensation Act, or its
 16 successor, or this act for the appropriate classification.

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18 SECTION 8. APPROPRIATION - MEDICAID FRAUD DIVISION - FEDERAL. There is
 19 hereby appropriated, to the Office of Attorney General, to be payable from
 20 the federal funds as designated by the Chief Fiscal Officer of the State, for
 21 personal services and operating expenses of the Office of Attorney General -
 22 Medicaid Fraud Division - Federal for the fiscal year ending June 30, 2021,
 23 the following:

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| 25 | ITEM | FISCAL YEAR |
|----|---------------------------------|--------------------|
| 26 | <u>NO.</u> | <u>2020-2021</u> |
| 27 | (01) REGULAR SALARIES | \$1,300,837 |
| 28 | (02) EXTRA HELP | 37,224 |
| 29 | (03) PERSONAL SERVICES MATCHING | 378,420 |
| 30 | (04) MAINT. & GEN. OPERATION | |
| 31 | (A) OPER. EXPENSE | 35,700 |
| 32 | (B) CONF. & TRAVEL | 66,300 |
| 33 | (C) PROF. FEES | 51,000 |
| 34 | (D) CAP. OUTLAY | 31,500 |
| 35 | (E) DATA PROC. | <u>0</u> |
| 36 | TOTAL AMOUNT APPROPRIATED | <u>\$1,900,981</u> |

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SECTION 9. APPROPRIATION - MEDICAID FRAUD DIVISION - INDIRECT COSTS.

There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Office of Attorney General - Medicaid Fraud Division - Indirect Costs for the fiscal year ending June 30, 2021, the following:

| ITEM | FISCAL YEAR |
|------------------------------|-------------------------|
| <u>NO.</u> | <u>2020-2021</u> |
| (01) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | \$330,000 |
| (B) CONF. & TRAVEL | 0 |
| (C) PROF. FEES | 0 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$330,000</u></u> |

SECTION 10. APPROPRIATION - INTERNET CRIME CHILD. There is hereby appropriated, to the Office of Attorney General, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for operating expenses of the Office of Attorney General - Internet Crime Child for the fiscal year ending June 30, 2021, the following:

| ITEM | FISCAL YEAR |
|------------------------------|------------------------|
| <u>NO.</u> | <u>2020-2021</u> |
| (01) MAINT. & GEN. OPERATION | |
| (A) OPER. EXPENSE | \$25,000 |
| (B) CONF. & TRAVEL | 0 |
| (C) PROF. FEES | 0 |
| (D) CAP. OUTLAY | 0 |
| (E) DATA PROC. | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | <u><u>\$25,000</u></u> |

SECTION 11. REGULAR SALARIES - COOPERATIVE DISABILITY INVESTIGATION PROGRAM. There is hereby established for the Office of Attorney General -

1 Cooperative Disability Investigation Program for the 2020-2021 fiscal year,
 2 the following maximum number of regular employees.

| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|-----------------------|-------|----------------|-----------|----------------|-------------|-------------|
| Item | Class | Maximum | No. of | Maximum Annual | Salary Rate | Fiscal Year |
| No. | Code | Title | Employees | 2020-2021 | | |
| (1) | Q074U | INVESTIGATOR I | 2 | \$81,257 | | |
| (2) | Q046U | ANALYST | <u>1</u> | \$65,265 | | |
| MAX. NO. OF EMPLOYEES | | | 3 | | | |

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 12 SECTION 12. APPROPRIATION - COOPERATIVE DISABILITY INVESTIGATION
 13 PROGRAM. There is hereby appropriated, to the Office of Attorney General, to
 14 be payable from the federal funds as designated by the Chief Fiscal Officer
 15 of the State, for personal services and operating expenses of the Office of
 16 Attorney General - Cooperative Disability Investigation Program for the
 17 fiscal year ending June 30, 2021, the following:

| 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
|---------------------------|----------------------------|----|----|----|----|----|----|----|----|------------------|-----------|
| ITEM | NO. | | | | | | | | | FISCAL YEAR | 2020-2021 |
| (01) | REGULAR SALARIES | | | | | | | | | | \$196,052 |
| (02) | PERSONAL SERVICES MATCHING | | | | | | | | | | 60,408 |
| (03) | OVERTIME | | | | | | | | | | 42,000 |
| (04) | MAINT. & GEN. OPERATION | | | | | | | | | | |
| (A) | OPER. EXPENSE | | | | | | | | | | 31,000 |
| (B) | CONF. & TRAVEL | | | | | | | | | | 0 |
| (C) | PROF. FEES | | | | | | | | | | 0 |
| (D) | CAP. OUTLAY | | | | | | | | | | 0 |
| (E) | DATA PROC. | | | | | | | | | | <u>0</u> |
| TOTAL AMOUNT APPROPRIATED | | | | | | | | | | <u>\$329,460</u> | |

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 32 SECTION 13. APPROPRIATION - CASH FUNDS - SETTLEMENT FEES. There is
 33 hereby appropriated, to the Office of Attorney General, to be payable from
 34 the cash funds as defined by Arkansas Code 19-4-801, for personal services,
 35 miscellaneous operating expenses, grants, fund transfers, court ordered
 36 payments, consumer education and enforcement activities of the Office of

1 Attorney General for the fiscal year ending June 30, 2021, the sum of
2 \$25,000,000.

3
4 SECTION 14. APPROPRIATION - CASH FUNDS - SETTLEMENT FEES AND
5 RESTITUTION. There is hereby appropriated, to the Office of Attorney General,
6 to be payable from the cash funds as defined by Arkansas Code 19-4-801, for
7 personal services, miscellaneous operating expenses, grants, fund transfers,
8 and restitution payments and expenses of the Office of Attorney General for
9 the fiscal year ending June 30, 2021, the sum of.....\$31,000.

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11 SECTION 15. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ATTORNEY
13 FEES. The disbursing officer of the appropriations provided for herein,
14 shall deposit all monies received by the Office of Attorney General as
15 attorney fees in the State Central Services Fund as direct revenues.

16 The provisions of this section shall be in effect only from July 1, ~~2019~~
17 2020 through June 30, ~~2020~~ 2021.

18
19 SECTION 16. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
21 PROVISION. After receiving approval from the Chief Fiscal Officer of the
22 State, and prior review by the Arkansas Legislative Council or Joint Budget
23 Committee, the Office of Attorney General is authorized to transfer
24 appropriation from any line item authorized in the Operations Appropriation
25 of the Office of Attorney General in this Act to any other line item
26 authorized in the Operations Appropriation.

27 The provisions of this section shall be in effect only from July 1, ~~2019~~
28 2020 through June 30, ~~2020~~ 2021.

29
30 SECTION 17. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
32 TRANSFER. Immediately upon the effective date of this act, the Attorney
33 General may deposit or transfer by check monies from the unobligated cash
34 funds of the Office of Attorney General received from court orders or
35 settlement agreements to the State Central Services Fund.

36 The provisions of this section shall be in effect only from July 1, ~~2019~~

1 2020 through June 30, ~~2020~~ 2021.

2
 3 SECTION 18. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 4 authorized by this act shall be limited to the appropriation for such agency
 5 and funds made available by law for the support of such appropriations; and
 6 the restrictions of the State Procurement Law, the General Accounting and
 7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 8 Procedures and Restrictions Act, or their successors, and other fiscal
 9 control laws of this State, where applicable, and regulations promulgated by
 10 the Department of Finance and Administration, as authorized by law, shall be
 11 strictly complied with in disbursement of said funds.

12
 13 SECTION 19. LEGISLATIVE INTENT. It is the intent of the General
 14 Assembly that any funds disbursed under the authority of the appropriations
 15 contained in this act shall be in compliance with the stated reasons for
 16 which this act was adopted, as evidenced by the Agency Requests, Executive
 17 Recommendations and Legislative Recommendations contained in the budget
 18 manuals prepared by the Department of Finance and Administration, letters, or
 19 summarized oral testimony in the official minutes of the Arkansas Legislative
 20 Council or Joint Budget Committee which relate to its passage and adoption.

21
 22 SECTION 20. EMERGENCY CLAUSE. It is found and determined by the
 23 General Assembly, that the Constitution of the State of Arkansas prohibits
 24 the appropriation of funds for more than a one (1) year period; that the
 25 effectiveness of this Act on July 1, 2020 is essential to the operation of
 26 the agency for which the appropriations in this Act are provided, and that in
 27 the event of an extension of the legislative session, the delay in the
 28 effective date of this Act beyond July 1, 2020 could work irreparable harm
 29 upon the proper administration and provision of essential governmental
 30 programs. Therefore, an emergency is hereby declared to exist and this Act
 31 being necessary for the immediate preservation of the public peace, health
 32 and safety shall be in full force and effect from and after July 1, 2020.